

In the United States District Court
for the Eastern District of North Carolina
Eastern Division

Karol Huffman,

*On behalf of himself and those
similarly situated,*

Plaintiff,

v.

Meadow Greens Pizza, *et al.*,

Defendants.

Civil Action No. 4:2019-cv-00034

Judge Louise Wood Flanagan

Order Granting Joint Motion to Stay Proceedings

This case is before me on the Parties' Joint Motion to Stay Proceeding (the "Motion"). After consideration of the Motion, I grant the Motion and order as follows:

1. The Case is stayed 120 days for the date of this Order;
2. Defendants agree to produce (1) summary class-wide data of the miles driven and reimbursements paid at each of Defendants' Domino's stores, broken down by year and by location, for the period three years prior to the date of service of this lawsuit to the date of this Order; and sampling records contemplated by the Parties' Joint Motion within thirty (30) days of this Order;
3. The Parties are ordered to engage in good-faith negotiations regarding settlement and, if the Parties deem appropriate, attend an in-person mediation within seventy-five (75) days of the Court's Order, or as soon as reasonably possible based on the mediator's schedule;
4. Defendants will pay all of the mediator's costs associated with the mediation;

5. In the event settlement is not reached by 120 days from this Order, this case will be conditionally certified as a collective action pursuant to 29 U.S.C. § 216 (b);

6. The Notice of Collective Action Lawsuit and Consent Form attached as Exhibit 1 to the Motion is approved and shall be sent to all current and former delivery drivers employed by Defendants within the three (3) years preceding the date of service of the Complaint (April 9, 2019) by U.S. Mail and electronic mail (the email cover letter is attached as Exhibit 2 to the Motion), pursuant to the conditions set forth in the Joint Motion;

7. The statute of limitations for the putative class members is tolled from the date of this Order until the conclusion of the stay period;

8. All other stipulations and agreements between the parties as set forth in the Joint Motion are approved and shall be binding on the parties, subject to further orders of the Court; and

9. In light of the forgoing, the Court hereby vacates any currently scheduled hearings and stays the proceedings, including Defendants' obligation to respond to the Motion to Send Notice (Doc. 22) and the Motion to Expedite Consideration (Doc. 24).

IT IS SO ORDERED

5/22/19

Date



The Honorable Louise Wood Flanagan
U.S. Chief District Judge